

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

BRUNO HOFMANN, Individually And On Behalf Of All Others Similarly Situated,	:	Case No.: 1:04cv10027-JLT
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
PHILIP LAUGHLIN, MICHAEL SABOLINSKI, ALBERT ERANI, DONNA ABELLI LOPOLITO, JOHN J. ARCARI, HERBERT M. STEIN, ALAN ADES, BERNARD A. MARDEN, ALAN W. TUCK, NOVARTIS PHARMA AG, and PRICE WATERHOUSECOOPERS LLP,	:	
	:	
Defendants.	:	
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CHRISTOPHER GERARD AHEE, Individually And On Behalf Of All Others Similarly Situated,	:	Case No.: 1:04cv10517-JLT
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
PHILIP LAUGHLIN, MICHAEL SABOLINSKI, ALBERT ERANI, DONNA ABELLI LOPOLITO, JOHN J. ARCARI, HERBERT M. STEIN, ALAN ADES, BERNARD A. MARDEN, ALAN W. TUCK, NOVARTIS PHARMA AG, and PRICE WATERHOUSECOOPERS,	:	
	:	
Defendants.	:	

**MOTION OF THE HOFMANN GROUP FOR CONSOLIDATION,
APPOINTMENT AS LEAD PLAINTIFF, AND APPROVAL OF LEAD PLAINTIFF'S
SELECTION OF LEAD COUNSEL AND LIAISON COUNSEL**

Bruno Hofmann, John H. Bowie, Richard Madigan, and Richard Conen (collectively known as “the Hofmann Group” or “Movants”) by their counsel, hereby move this Court for an Order: (i) consolidating for all purposes the above-captioned related actions; (ii) appointing the Hofmann Group as Lead Plaintiff; (iii) approving the Hofmann Group’s selection of the law firm

of Milberg Weiss Bershad Hynes & Lerach LLP to serve as Lead Counsel and Moulton & Gans P.C. to serve as Liaison Counsel. In support of this Motion, Movants submit herewith a Memorandum of Law, a Declaration, and a [Proposed] Order.

REQUEST FOR ORAL ARGUMENT

Movants respectfully request oral argument on this motion.

DATED: March 22, 2004

Respectfully submitted,

MOULTON & GANS, P.C.

By: /s/Nancy Freeman Gans
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Proposed Liaison Counsel

**MILBERG WEISS BERSHAD HYNES
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Plaintiff's Counsel

RULE 7.1(A) CERTIFICATE

I, Nancy Freeman Gans, Proposed Liaison Counsel, hereby certify that on March 22, 2004, I notified the following counsel for defendants of the filing of the Motion Of The Hofmann Group For Consolidation, Appointment Of Lead Plaintiff, And Approval Of Selection Of Lead Counsel And Liaison Counsel: Matt Matule, Esq., Skadden Arps Slate Meagher & Flom, LLP for PricewaterhouseCoopers, LLP; Andrew Glass, Esq., Kirkpatrick & Lockhart, LLP for Novartis Pharma AG; Peter Saparoff, Esq., Mintz, Levin, Cohn, Ferris Glovsky & Popeo, PC, for Herbert Stein; and Jonathan Shapiro, Esq. of Hale & Dorr, LLP for Donna Abelli Lopolito, Michael Sabolinski, Philip Laughlin, Alan Ades and Albert Erani. This motion is required by statute. I also conferred with defense counsel concerning the Motion for Consolidation. Mr. Shapiro and Mr. Saparoff assent to the motion to consolidate, while Mr. Matule and Mr. Glass reserve their position with respect to the motion for consolidation.

DATED: March 22, 2004

/s/ Nancy Freeman Gans
Nancy Freeman Gans

CERTIFICATE OF SERVICE

I, Nancy Freeman Gans, hereby certify that I served a copy of the foregoing document upon counsel for all parties by mailing a copy of same, postage prepaid, to each attorney of record, this 22nd day of March, 2004.

/s/ Nancy Freeman Gans
Nancy Freeman Gans